## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of:                  | )                                       |
|--|---|
| Gary K. Michelson                      | )                                       |
| Serial No.: (Divisional of 09/572,518) | (Group Art Unit: 3738)                  |
| Filed: October 30, 2003                | ) (Examiner: D. Isabella)               |
| For: ORTHOPEDIC IMPLANT SURFACE        | , · , , , , , , , , , , , , , , , , , , |
| CONFIGURATION WITH A                   | )                                       |
| PROJECTION HAVING A BACK CUT           | )                                       |

MS PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Copies of the listed documents were previously submitted in a prior application Serial No. 09/572,518, filed May 17, 2000; and/or application Serial No. 09/457,228, filed December 8, 1999, upon which applicant relies for the benefits provided in 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicant brings to the Examiner's attention the following U.S. co-pending application of Applicant; the claims and drawings of which are attached hereto:

| NOT FOR PUBLICATION              |                    |             |                              |  |  |  |  |
|----------------------------------|--------------------|-------------|------------------------------|--|--|--|--|
| Examiner<br>L <del>nit</del> ial | Application Number | Filing Date | Publication/Patent<br>Number |  |  |  |  |
| 10                               | 09/921,844         | 03AUG2001   | N/A                          |  |  |  |  |

OMB 0651-0031

Via U.s. Express Mail Label No. ED149927699US **Attorney Docket Number** Customer No. 101.0094-01000 22882 **Substitute for FORM PTO-1449** INEORMATION DISCLOSURE CITATION **Applicant Application Number** IN AN APPLICATION 10/697,835 Gary K. Michelson, M.D. several sheets if necessary) Filing Date **Group Art Unit** Examiner (D. Isabella) (3738)Sheet 1 of 1 October 30, 2003 **U.S. PATENT DOCUMENTS** EXAMINER **FILING DATE IF DOCUMENT NUMBER** DATE NAME **CLASS SUBCLASS** INITIAL APPROPRIATE DI 2002/0068978A1 6/2002 Camino et al. DI 6,432,106 8/2002 Fraser DI 6,592,624 7/2003 Fraser et al. FOREIGN PATENT DOCUMENTS **DOCUMENT NUMBER TRANSLATION** DATE COUNTRY **CLASS SUBCLASS** (YES/NO) OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER** DATE CONSIDERED /David Isabella/ 05/29/2006

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

OMB 0651-0031

| Substitute for    | FORM PTO-1449   |                     |              | Attorney Docket Nun<br>101.0094-01000 | nbur        | Customer No<br>22882        |                                       |
|-------------------|---|---------------------|--------------|---------------------------------------|-------------|-----------------------------|---------------------------------------|
| INFO              | RMATION DISCLOSU<br>IN AN APPLICAT                      |                     | ١            | Applicant Gary K. Michelson           |             | Application N<br>10/697,835 | lumber                                |
|                   | (Use several sheets if ne<br>Sheet <u>1</u> of <u>1</u> |                     |              | Fiting Date<br>October 30, 2003       |             | Group Art Un<br>3738        | Examiner Unassigned                   |
|                   |   | U.S. F              | ATENT        | DOCUMENTS                             |             |                             |                                       |
| EXAMINER<br>INMAL | DOCUMENT NUMBER   | DATE                |              | NAME                                  | CLASS       | SUBCLASS                    | FILING DATE IF<br>APPROPRIATE         |
| DI .              | 5.019,107   | 5/1 <del>99</del> 1 | Schelhas     | 9                                     |             |                             |                                       |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the appl cant.

| Substitute fo              | or FORM PTO-1449   |                                       | Attorney Docket N<br>101.0094-01000         | łumber  | Customer No         | DMB 0651-0031<br>D.     |
|----------------------------|--|---------------------------------------|---|---|---------------------|-------------------------|
| INF                        | ORMATION DISCLOSURE  |                                       | Applicant                                   |   | Application I       | Number                  |
|                            | IN AN APPLICATION  |                                       |   | Gary K. Michelson                                 |                     |                         |
|                            | (Use several sheets if necess  | ary)                                  | Filing Date                                 |   | Group Art Un        | nit Examiner            |
|                            | Sheet <u>1</u> of <u>1</u>   |                                       | October 30, 2003                            |   | 3738                | (N/A)                   |
|                            |  | U.S. PATENT                           | DOCUMENTS                                   |   | <del></del>         | <u>-</u>                |
| EXAMINER INITIAL           | DOCUMENT NUMBER  | DATE                                  | NAME CLASS SUBCLASS FILING APPRO            |   |                     |                         |
| DI                         | 6,325,827  | 12-2001                               | Lin   |   |                     |                         |
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| , .                        | Ţ  | FOREIGN PATE                          | VT DOCUMENTS                                |   |                     |                         |
|                            | DOCUMENT NUMBER  | DATE                                  | COUNTRY                                     | CLASS   | SUBCLASS            | TRANSLATION<br>(YES/NO) |
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|                            | OTHER DOCUME   | NTS (Including Auth                   | ior, Title, Date, Perti                     | nent Pages, I                                     | Etc.)               |                         |
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| EXAMINER: In conformance a | itial if citation considered, whether and not considered. Include copy ( | or not citation is in co              | informance with MPE<br>communication to the | P § 609; Draw                                     | / line through cits | ation if not in         |

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OMB 0651-0031

| Substitute for   | r FORM PTO-1449                        | Attorney Docket N<br>101.0094-01000 | OMB QUICKET Number   Customer No. |                |            |                         |  |
|------------------|--|-------------------------------------|-----------------------------------|----------------|------------|-------------------------|--|
| INFO             | RMATION DISCLOSURE C                   | Applicant                           |                                   | Application    | Number     |                         |  |
|                  | IN AN APPLICATION                      | Gary K. Michelson                   | Gary K. Michelson                 |                | 10/697,835 |                         |  |
|                  | (Use several sheets if necessar)       | 0                                   | Filing Date                       | iling Date     |            | nit Examiner            |  |
|                  | Sheet <u>1</u> of <u>1</u>             | October 30, 2003                    |                                   |                | (N/A)      |                         |  |
|                  |  | U.S. PATEN                          | T DOCUMENTS                       |                |            | <u> </u>                |  |
| EXAMINER INITIAL | DOCUMENT NUMBER                        | DATE                                | NAME                              | CLASS          | SUBCLASS   | FILING DATE I           |  |
| DI               | 5,306,308                              | 4/1994                              | Gross et al.                      |                |            |                         |  |
| DI               | 5,425,772                              | 6/1995                              | Brantigan                         |                |            |                         |  |
| DI               | 5,713,899                              | 2/1998                              | Mamay et al.                      |                |            |                         |  |
| DI               | 5,865,845                              | 2/1999                              | Thalgott                          |                |            |                         |  |
| DI               | 5,888,227                              | 3/1999                              | Cottle                            |                |            |                         |  |
| DI               | 5,989,289                              | 11/1999                             | Coates et al.                     |                |            |                         |  |
| DI               | 6,019,793                              | 2/2000                              | Perren et al.                     | <del></del>    |            |                         |  |
| DI               | 6,080,158                              | 6/2000                              | Цп                                |                |            |                         |  |
| DI               | 6,143,033                              | 11/2000                             | Paul et al.                       | <b>-</b>       |            |                         |  |
| DI               | 6,425,920                              | 7/2002                              | Hamada                            |                |            | -                       |  |
| DI               | 6,511,509                              | 1/2003                              | Ford et al.                       |                |            |                         |  |
| DI               | 6,660,038                              | 12/2003                             | Boyer, II et al.                  |                |            |                         |  |
|                  | F                                      | OREIGN PATI                         | NT DOCUMENTS                      |                |            |                         |  |
|                  | DOCUMENT NUMBER                        | DATE                                | COUNTRY                           | CLASS          | SUBCLASS   | TRANSLATION<br>(YES/NO) |  |
| DI               | 0 637 440                              | 2/1995                              | Europe                            |                |            | Abstract Only           |  |
| DI               | 1 107 854                              | 8/1984                              | Soviet Union                      |                |            | No                      |  |
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| Substitute for FORM PTO-1449                      |                     |  |                               |   | rney Docket Number Customer No. 22882 |   |                  |                                       |
|---|---------------------|--|-------------------------------|---|---------------------------------------|---|------------------|---------------------------------------|
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION |                     |  |                               | Applicant Gary K. Michelson             |                                       | Application Number (Div. of 09/572,518) |                  |                                       |
| (Use several sheets if necessary)                 |                     |  |                               | Filing Date                             |                                       | Group Art Ur                            | nit Examiner     |                                       |
| Sheet <u>1</u> of <u>1</u>                        |                     |  |                               |   | October 30, 2003                      |   | (3738)           | (D. Isabella)                         |
|   |                     |  |                               | S. PATENT                               | DOCUMENTS                             |   | <u> </u>         |                                       |
| EXAMINER   DOCUMENT NUMBER                        |                     |  | DATE                          |   |                                       | CLASS                                   | SUBCLASS         | FILING DATE II                        |
| DI  |                     | 4,349,921  | 09/1982                       | Kuntz                                   |                                       |   | <del></del>      |                                       |
|   | DI                  | 4,531,244  | 07/1985                       | Hamas                                   | ·                                     |   |                  | · · · · · · · · · · · · · · · · · · · |
| DI  |                     | 4,673,409  | 06/1987                       | Van Kan                                 | npen                                  | •                                       |                  |                                       |
|   | DI                  | 4,795,742  | 01/1989                       | Crowinsl                                | nield et al.                          |   |                  |                                       |
| DI  |                     | 4,834,757  | 05/1989                       | Brantiga                                | n                                     |   |                  |                                       |
|   | DI                  | 4,865,603  | 09/1989                       | Noiles                                  |                                       |   |                  |                                       |
| DI  |                     | 4,944,763  | 07/1990                       | Willert et                              | al.                                   |   |                  |                                       |
|   | DI                  | 4,955,907  | 09/1990                       | Lederge                                 | <del>ber</del>                        |   | ·                |                                       |
| DI  |                     | 5,258,031  | 11/1993                       | Salib et a                              | Salib et al.                          |   | ***              |                                       |
|   | DI                  | 5,522,899  | 06/1996                       | Michelso                                | n                                     |   |                  |                                       |
| DI  |                     | 5,553,476  | 09/1996                       | Oehy et                                 | al.                                   |   |                  |                                       |
|   | DI                  | 5,593,409  | 01/1997                       | Michelso                                | Michelson                             |   |                  |                                       |
| DI  |                     | 5,609,635  | 03/1997                       | Michelso                                | n                                     |   | 7.7.             |                                       |
|   | DI                  | 5,683,464  | 11/1997                       | Wagner                                  | et al.                                |   |                  |                                       |
| DI  |                     | 5,716,412  | 02/1998                       | DeCarlo,                                | Jr. et al.                            |   |                  |                                       |
|   | DI                  | 5,755,799  | 05/1998                       | Oehy et                                 | al.                                   |   |                  |                                       |
| DI  |                     | 5,860,973  | 01/1999                       | Michelso                                | n                                     |   |                  |                                       |
|   | DI                  | 5,899,941  | 05/1999                       | Nishijima                               | et al.                                |   |                  |                                       |
| DI  |                     | 6,087,555  | 7/2000                        | Dunstan                                 | et al.                                |   |                  |                                       |
|   | DI                  | 6,174,334  | 01/2001                       | Suddaby                                 |                                       |   |                  |                                       |
| DI  |                     | 6,190,414  | 02/2001                       | Young et                                | Young et al.                          |   | ····             |                                       |
|   | DI                  | 6,258,125  | 07/2001                       | Paul et a                               | l                                     |   |                  |                                       |
| DI  |                     | 6,482,233  | 11/2002                       | Aebi et a                               | l                                     |   |                  |                                       |
|   |                     |  | FORI                          | EIGN PATE                               | IT DOCUMENT                           | S                                       |                  |                                       |
|   |                     | DOCUMENT NUMBER  | DATE                          |   | COUNTRY                               | CLASS                                   | SUBCLASS         | TRANSLATION<br>(YES/NO)               |
|   | DI                  | WO 98/58604  | 12/1998                       | WIPO                                    |                                       |   |                  | N/A                                   |
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| XAM   |                     | /David Isabella  | <u></u>                       | re consideri                            |                                       | 05/29/2006                              |                  |                                       |
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